

# STATE OF WISCONSIN

# Senate Journal

## Ninety–Eighth Regular Session

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FRIDAY, January 25, 2008

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The Chief Clerk makes the following entries under the above date.

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### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 337** offered by Senator Sullivan.

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### INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS; REFERENCE OF APPOINTMENTS

Read first time and referred:

#### **Senate Bill 416**

Relating to: partial–birth abortion and creating a penalty.

By Senators S. Fitzgerald, Breske, Cowles, Darling, Ellis, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz; cosponsored by Representatives J. Ott, Staskunas, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Hahn, Hines, Honadel, Huebsch, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, F. Lasee, LeMahieu, Lothian, Meyer, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nerison, Newcomer, Nygren, A. Ott, Owens, Petersen, Petrowski, Pridemore, Rhoades, Roth, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Wieckert, M. Williams, Wood, Ziegelbauer and Zipperer.

To committee on **Health, Human Services, Insurance, and Job Creation**.

#### **Senate Bill 417**

Relating to: increasing the allowable number of project plan amendments for tax incremental district number 2 in the village of Pleasant Prairie.

By Senator Wirsch; cosponsored by Representatives Steinbrink, Kerkman and Kreuser.

To committee on **Tax Fairness and Family Prosperity**.

#### **Senate Bill 418**

Relating to: appellate time limits and procedure.

By Senator Taylor; cosponsored by Representative Bies, by request of Wisconsin Judicial Council.

To committee on **Judiciary, Corrections, and Housing**.

#### **Senate Bill 419**

Relating to: appellate procedure.

By Senator Taylor; cosponsored by Representative Bies, by request of Wisconsin Judicial Council.

To committee on **Judiciary, Corrections, and Housing**.

#### **Senate Bill 420**

Relating to: appellate procedure regarding commitments of persons found not guilty by reason of mental disease or defect and commitments of sexually violent persons.

By Senator Taylor; cosponsored by Representative Bies, by request of Wisconsin Judicial Council.

To committee on **Judiciary, Corrections, and Housing**.

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### State of Wisconsin Office of the Governor

January 25, 2008

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JANIAK, MATTHEW, of Mondovi, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2011.

Respectfully submitted,

*JIM DOYLE*

Governor

Read and referred to committee on **Economic Development**.

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### State of Wisconsin Office of the Governor

January 25, 2008

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GUST, GARY, of Menomonie, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2011.

Respectfully submitted,

*JIM DOYLE*

Governor

Read and referred to committee on **Economic Development**.

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### REPORT OF COMMITTEES

The committee on **Health, Human Services, Insurance, and Job Creation** reports and recommends:

OLSEN, DAVID, of Jefferson, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 2011.

Confirmation.

Ayes, 7 – Senators Erpenbach, Vinehout, Carpenter, Taylor, Roessler, Lazich and Kanavas.  
Noes, 0 – None.

PEARSE, CHERYL, of La Crosse, as a member of the Barbering and Cosmetology Examining Board to serve for the term ending July 1, 2011

Confirmation.

Ayes, 7 – Senators Erpenbach, Vinehout, Carpenter, Taylor, Roessler, Lazich and Kanavas.  
Noes, 0 – None.

#### **Senate Bill 259**

Relating to: prohibiting the use of information in credit reports for issuing or setting premiums for motor vehicle or property insurance.

Passage.

Ayes, 4 – Senators Erpenbach, Carpenter, Taylor and Roessler.  
Noes, 3 – Senators Vinehout, Lazich and Kanavas.

#### **Senate Bill 287**

Relating to: allowing a 16-year-old to donate blood with parental consent.

Passage.

Ayes, 7 – Senators Erpenbach, Vinehout, Carpenter, Taylor, Roessler, Lazich and Kanavas.  
Noes, 0 – None.

#### **Senate Bill 324**

Relating to: grants to community health centers (suggested as remedial legislation by the Department of Health and Family Services).

Passage.

Ayes, 7 – Senators Erpenbach, Vinehout, Carpenter, Taylor, Roessler, Lazich and Kanavas.  
Noes, 0 – None.

#### **Senate Bill 326**

Relating to: eliminating reimbursement rate requirements for certain respiratory care services (suggested as remedial legislation by the Department of Health and Family Services).

Passage.

Ayes, 7 – Senators Erpenbach, Vinehout, Carpenter, Taylor, Roessler, Lazich and Kanavas.  
Noes, 0 – None.

#### **Senate Bill 375**

Relating to: health insurance coverage of nervous and mental disorders, alcoholism, and other drug abuse problems.

Introduction and adoption of Senate Amendment 1.

Ayes, 5 – Senators Erpenbach, Vinehout, Carpenter, Taylor and Roessler.  
Noes, 2 – Senators Lazich and Kanavas.

Passage as amended.

Ayes, 5 – Senators Erpenbach, Vinehout, Carpenter, Taylor and Roessler.  
Noes, 2 – Senators Lazich and Kanavas.

*JON ERPENBACH*  
Chairperson

## **PETITIONS AND COMMUNICATIONS**

### **State of Wisconsin Office of the Senate President**

January 25, 2008

The Honorable, the Senate:

Pursuant to Senate Rule [46 \(2\)\(c\)](#), I am writing to inform you that I have directed the following proposal(s) to be withdrawn from committee and rereferred. I have obtained the consent of the appropriate standing committee chairperson and the chairperson of the committee on **Senate Organization**.

**Assembly Bill 502** withdrawn from joint committee on **Finance** and rereferred to committee on **Senate Organization**.

**Senate Bill 275** withdrawn from joint committee on **Finance** and rereferred to committee on **Senate Organization**.

Sincerely,  
*FRED A. RISSER*  
Senate President

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Pursuant to Senate Rule [17 \(5\)](#), Senator Lassa added as a coauthor of **Senate Bill 405**.

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## **REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES**

The committee on **Judiciary, Corrections, and Housing** reports and recommends:

#### **Senate Clearinghouse Rule 03–124**

Relating to secure detention facilities and juvenile portions of a county jail.

No action taken.

#### **Senate Clearinghouse Rule 07–066**

Relating to hearsay evidence in administrative appeal hearings.

No action taken.

*LENA TAYLOR*  
Chairperson

The committee on **Labor, Elections, and Urban Affairs** reports and recommends:

#### **Senate Clearinghouse Rule 07–059**

Relating to voter registration.

No action taken.

*SPENCER COGGS*  
Chairperson

## **MESSAGES FROM THE ASSEMBLY CONSIDERED**

### **Assembly Bill 173**

Relating to: membership of the Council on Mental Health.

By Representatives Grigsby, Zepnick, Berceau, Cullen, Fields, Molepske, Sinicki, Toles, A. Williams, Young, Gunderson, Mursau and A. Ott; cosponsored by Senators Lehman, Coggs, Erpenbach, Lassa, Miller, Taylor, Wirsch and Darling, by request of Wisconsin Council on Mental Health.

Read first time and referred to committee on **Health, Human Services, Insurance, and Job Creation**.

### **Assembly Bill 262**

Relating to: requirements to successfully complete training on use of an automated external defibrillator, extending the time

limit for emergency rule procedures, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

By Representatives Ballweg, Wasserman, Benedict, Berceau, Cullen, Gunderson, Hahn, Hines, Hixson, Newcomer, Owens, Petersen, Sinicki, Townsend, Young, Van Akkeren, Van Roy and Vruwink; cosponsored by Senators Vinehout, Roessler, Breske, Cowles, Erpenbach, Hansen and Olsen.

Read first time and referred to committee on **Health, Human Services, Insurance, and Job Creation.**

#### **Assembly Bill 265**

Relating to: requiring the Department of Administration to study the feasibility of developing a Wisconsin brand.

By Representatives Wieckert, Mursau, Berceau, Albers, Vos, Owens, Petrowski, Gunderson and Bies; cosponsored by Senators Roessler and A. Lasee.

Read first time and referred to committee on **Transportation and Tourism.**

#### **Assembly Bill 340**

Relating to: retail theft, proof of ownership for certain sales, and providing penalties.

By Representatives Kleefisch, Kestell, Owens, Albers, Bies, Gronemus, Hahn, Jeskewitz, Jorgensen, Kaufert, Kerkman, LeMahieu, Lothian, Nygren, A. Ott, J. Ott, Van Roy, Vos and Ziegelbauer; cosponsored by Senators Olsen, Leibham, Risser and Roessler.

Read first time and referred to committee on **Judiciary, Corrections, and Housing.**

#### **Assembly Bill 363**

Relating to: limiting the scope of direct legislation.

By Representatives Kleefisch, J. Fitzgerald, Townsend, Nass and Albers; cosponsored by Senator S. Fitzgerald.

Read first time and referred to committee on **Labor, Elections and Urban Affairs.**

#### **Assembly Bill 411**

Relating to: receiving a stolen firearm, and providing a penalty.

By Representatives LeMahieu, Friske, Bies, Albers, Hahn, Lothian, Musser and Townsend; cosponsored by Senators Olsen and Roessler.

Read first time and referred to committee on **Judiciary, Corrections, and Housing.**

#### **Assembly Bill 423**

Relating to: extraterritorial plat approval on basis of land's use.

By Representatives Albers, Roth, Musser, Gunderson, Petrowski and Mursau; cosponsored by Senators Breske, Harsdorf, A. Lasee and Schultz.

Read first time and referred to committee on **Campaign Finance Reform, Rural Issues and Information Technology.**

#### **Assembly Bill 501**

Relating to: insurance agent license requirements, revocations, and reinstatement and relicensing requirements, and granting rule-making authority.

By Representatives F. Lasee, Ziegelbauer, Albers and Petersen; cosponsored by Senators Breske, Plale, Erpenbach and Olsen.

Read first time and referred to committee on **Health, Human Services, Insurance, and Job Creation.**

#### **Assembly Bill 539**

Relating to: allowing a 16-year-old to donate blood with parental consent.

By Representatives Hines, Ballweg, Berceau, Boyle, Gottlieb, Grigsby, Hintz, Kaufert, Kerkman, F. Lasee, Mursau, Nass, A. Ott, Owens, Pope-Roberts, Staskunas, Strachota, Turner and Vos; cosponsored by Senators Risser, Cowles, Erpenbach, Grothman, Harsdorf, Miller, Olsen, Roessler, Schultz, Sullivan and Wirsch.

Read first time and referred to committee on **Health, Human Services, Insurance, and Job Creation.**

#### **Assembly Bill 542**

Relating to: the Interstate Insurance Product Regulation Compact, the Interstate Insurance Product Regulation Commission, filing insurance policy forms with the commissioner of insurance, suitability of annuity contracts, and granting rule-making authority.

By Representatives F. Lasee, Nygren, Albers, Hahn, A. Ott and Bies; cosponsored by Senators Breske, Schultz, Lehman, Cowles, Olsen, Grothman and Roessler.

Read first time and referred to committee on **Health, Human Services, Insurance, and Job Creation.**

#### **Assembly Bill 557**

Relating to: increasing the amount of the early stage seed and angel investment credits.

By Representatives Strachota, Jeskewitz, Fields, Kerkman, Gunderson, LeMahieu, Shilling, Van Roy, Sheridan, Tauchen, Smith, Pridemore, Vos, Zipperer and Albers; cosponsored by Senators Kanavas, Darling, Kedzie, Roessler, Sullivan, Olsen, Leibham and Kapanke.

Read first time and referred to committee on **Tax Fairness and Family Prosperity.**

#### **Assembly Bill 564**

Relating to: duties upon causing an injury, and providing a penalty.

By Representatives Gundrum, Musser, LeMahieu, Jeskewitz, Berceau, Hahn, Shilling, Townsend and A. Ott; cosponsored by Senators Kapanke, Vinehout, Lazich, Olsen and Roessler.

Read first time and referred to committee on **Judiciary, Corrections, and Housing.**

#### **Assembly Bill 598**

Relating to: allocating early stage seed and angel investment credits.

By Representatives Strachota, Kerkman, Townsend, Vos, Kaufert, LeMahieu, Albers, Hahn and Nass; cosponsored by Senators Kanavas, Darling, Roessler, Olsen and Plale.

Read first time and referred to committee on **Tax Fairness and Family Prosperity.**

#### **Assembly Bill 646**

Relating to: the University of Wisconsin Hospitals and Clinics Board and the University of Wisconsin Hospitals and Clinics Authority.

By Representatives Rhoades and Black; cosponsored by Senators Risser and Olsen.

Read first time and referred to committee on **Ethics Reform and Government Operations.**